

**IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF OKLAHOMA**

LOUIS D. CRAFT, JR.,)	
)	
Plaintiff,)	
)	
v.)	No. CIV 19-266-RAW-SPS
)	
RAYMOND BYRD, et al.,)	
)	
Defendants.)	

OPINION AND ORDER

On August 14, 2019, Plaintiff filed this civil rights action pursuant to 42 U.S.C. § 1983, alleging his constitutional rights were violated during his incarceration at Oklahoma State Penitentiary (OSP) in McAlester, Oklahoma, and at Cimarron Correctional Facility in Cushing, Oklahoma. After the OSP defendants filed a motion to dismiss / motion for summary judgment (Dkt. 29), the Court granted Plaintiff's three motions for an extension of time to respond to the motion (Dkts. 30, 31, 33, 34, 36, 37). He did not file a response.

On April 16, 2020, however, Plaintiff filed a motion to dismiss this lawsuit without prejudice to refiling on or before October 1, 2020 (Dkt. 38). While Plaintiff may voluntarily dismiss this action without prejudice pursuant to Fed. R. Civ. P. 41(a)(2), the Court will not set a deadline for refiling the complaint. Plaintiff must follow the applicable Federal Rules of Civil Procedure, state law, and this Court's Local Civil Rules with respect to filing deadlines.

ACCORDINGLY, Plaintiff's motion to dismiss this action without prejudice (Dkt.

38) is GRANTED, and this action is DISMISSED WITHOUT PREJUDICE.

IT IS SO ORDERED this 17th day of June 2020.

A handwritten signature in blue ink, reading "Ronald A. White", written over a horizontal line.

Ronald A. White
United States District Judge
Eastern District of Oklahoma